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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/610,712	07/06/2000	Joan Llach-Pinsach	PHF 99,593	4917

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
 P.O. BOX 3001  
 BRIARCLIFF MANOR, NY 10510

EXAMINER

CZEKAJ, DAVID J

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 07/02/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/610,712

Applicant(s)

LLACH-PINSACH ET AL.

Examiner

Dave Czekaj

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3 and 6-8 is/are rejected.
- 7) ☒ Claim(s) 2,4 and 5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 July 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6. 6) ☐ Other:

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to because figures 1 and 5-8 need to be labeled. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### *Claim Objections*

2. Claim 3 is objected to because of the following informalities:

The reference made to "said sub-division step" is not found. The examiner notes the "said sub-division step" <sup>is considered to</sup> refer to the partitioning step.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 3, 6, and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Ratakonda (5956026).

Regarding claim 1, Ratakonda discloses a method for hierarchical digital video summarization and browsing (Ratakonda: column 2, lines 13-16). This

method comprises a means for "detecting shot boundaries within the digital video sequence" (Ratakonda: column 2, lines 18-19, and Figure 2), "constructing a hierarchical summary with multiple levels, where levels vary in terms of detail" (Ratakonda: column 2, lines 30-32, and Figure 2), and breaking up the shots into keyframes or "micro-segments". "Each keyframe represents (and replaces) a contiguous set of video frames. The union of these contiguous sets of video frames is the entire shot" (Ratakonda: column 6, lines 46-49).

Regarding claim 3, Ratakonda discloses that "similar keyframes at the fine levels are clustered together" (Ratakonda: column 9, lines 41-42) providing a "level of homogeneity" when subdividing the shots.

Regarding claim 6, Ratakonda discloses a method for hierarchical digital video summarization and browsing (Ratakonda: column 2, lines 13-16). This method comprises a means for "constructing a hierarchical summary with multiple levels, where levels vary in terms of detail" (Ratakonda: column 2, lines 30-32, and Figure 2), labeling the elements of the structure ("the user may identify or tag frame numbers K and L, i.e., the two keyframes between which there is a camera pan" (Ratakonda: column 5, lines 32-34)), and breaking up the shots into keyframes or "micro-segments". "Each keyframe represents (and replaces) a contiguous set of video frames. The union of these contiguous sets of video frames is the entire shot" (Ratakonda: column 6, lines 46-49).

Regarding claim 7, Ratakonda discloses an "intelligent video indexing system" (Ratakonda: column 9, lines 14-15).

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***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ratakonda (5956026) in view of Vaithilingam et al. (6411724), (hereinafter referred to as "Vaithilingam").

Ratakonda discloses a method for hierarchical digital video summarization and browsing (Ratakonda: column 2, lines 13-16). This method comprises a means for "constructing a hierarchical summary with multiple levels, where levels vary in terms of detail" (Ratakonda: column 2, lines 30-32, and Figure 2), labeling the elements of the structure ("the user may identify or tag frame numbers K and L, i.e., the two keyframes between which there is a camera pan" (Ratakonda: column 5, lines 32-34)), and breaking up the shots into keyframes or "micro-segments". "Each keyframe represents (and replaces) a contiguous set of video frames. The union of these contiguous sets of video frames is the entire shot" (Ratakonda: column 6, lines 46-49). However, Ratakonda lacks the storage and retrieval means as claimed. Vaithilingam teaches that multimedia information exists in various forms and needs to be easily locatable (Vaithilingam: column 1, lines 9-36). Vaithilingam further teaches that present systems are not efficient in searching multimedia (Vaithilingam: column 1, lines

9-36). Vaithilingam discloses an invention that stores and searches descriptors, or "labels" (Vaithilingam: column 2, lines 30-49, and Figure 2) to help make the searching process more efficient. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to take the method disclosed by Ratakonda and add the searching mechanism taught by Vaithilingam in order to efficiently search the descriptors, or "labels" using features found in the image.

***Allowable Subject Matter***

7. Claims 2, 4, and 5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US-6473459	10-29-02	Sugano et al.
US-6393054	05-21-02	Altunbasak et al.
US-6307550	10-23-01	Chen et al.
US-6195458	02-27-01	Warnick et al.
US-5828809	10-27-98	Chang et al.
US-5774593	06-30-98	Zick et al.
US-5835667	11-10-98	Wactlar et al.
US-5592226	01-07-97	Lee et al.

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US-5963670	10-05-99	Lipson et al.
US-6535639	03-18-03	Uchihachi et al.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave Czekaj whose telephone number is (703) 305-3418. The examiner can normally be reached on Monday - Friday 9 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (703) 305-4856. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872 9314 for regular communications and (703) 872 9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

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June 25, 2003

  
CHRIS KELLEY  
SUPERVISORY PATENT EXAMINER  
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